Remarks

In the Office Action Claims 16-39 were subject to restriction and/or election requirement. In the present amendment Claims 22, 23, 24, and 30-37 have been canceled without prejudice or disclaimer, Claims 16-21, 25-27, and 38 have been amended, and Claim 40 has been added. Thus, Claims 16-21, 25-29, 38-40 are pending.

The subject matter of canceled Claims 22 and 23 have been incorporated into amended Claim 16. Claims 30-37 have been canceled as being drawn to a non-elected invention. Claims 16-21, 25-27, 38, and 39 have been amended to more clearly express the invention. Support for new Claim 40 is found at Page 13 on line 16. No new matter is believed to have been added.

Applicants hereby elect, without traverse, Group I (drawn to DNA, cells, and plants transformed with said DNA, and a method of altering the level of expression of triacylglycerol lipase in a host cell) and the nucleotide sequence of SEQ ID NO:11 which encodes the rice triacylglycerol lipase of SEQ ID NO:12, claims 16-29, 38 and 39. Applicants submit that now pending Claims 16-21, 25-29 and 38-40 are directed to Group I.

In view of the foregoing, allowance of the application is earnestly solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In showing the changes, deleted material is shown within brackets, and inserted material is shown underlined.

16. (amended) An isolated polynucleotide [that]comprising: (a) a nucleotide sequence encoding a polypeptide having triacylglycerol lipase activity, wherein the polypeptide has an amino acid[encodes a polypeptide of at least 80 amino acids, the polypeptide having a] sequence [identity] of at least 80% sequence identity, based on the Clustal method of alignment, when compared to[a polypeptide selected from the group consisting of] SEQ ID NO:12[SEQ ID NOs:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 and 34.]; or (b) a complement of the nucleotide sequence, wherein the complement and the nucleotide sequence consist of the same number of nucleotides and are 100% complementary.

17. (amended) [A]The polynucleotide [sequence]of Claim 16, wherein the sequence identity is at least 85%.

18. (amended) [A]The polynucleotide [sequence]of Claim 16, wherein the sequence identity is at least 90%.

19. (amended) [A]The polynucleotide [sequence]of Claim 16, wherein the sequence identity is at least 95%.

20. (amended) The polynucleotide of Claim 16 wherein the [polynucleotide encodes a]amino acid sequence of the polypeptide [selected from the group consisting of]comprises SEQ ID NO:12[SEQ ID NO s: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32 and 34.].

21. (amended) The polynucleotide of Claim 16, wherein the polynucleotide comprises [a nucleotide sequence selected from the group consisting of]SEQ ID NO:11[1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, and 33].

25. (amended) A cell comprising the [polynucleotide of Claim 16]recombinant DNA construct of Claim 38.

26. (amended) The cell of Claim 25, wherein the cell is selected from the group consisting of [a yeast cell,] a bacterial cell and a plant cell.

27. (amended) A transgenic plant comprising the [polynucleotide of Claim 16] recombinant DNA construct of Claim 38.

38. (amended) A [chimeric gene]recombinant DNA construct comprising the polynucleotide of Claim 16 operably linked to at least one [suitable]regulatory sequence.

39. (amended) A method for altering the level of expression of triacylglycerol lipase in a host cell, the method comprising:

(a) Transforming a host cell with the chimeric gene of claim 38; and

(b) Growing the transformed cell in step (a) under [condistions] conditions suitable for the expression of the chimeric gene.